

Amendments to Senate Bill No. 108
1st Reading Copy

Requested by Senator Vicki Cocchiarella

For the Senate Business, Labor, and Economic Affairs Committee

Prepared by Pat Murdo
January 25, 2007 (8:35am)

1. Title, line 11.

Following: "DRUGS;"

Insert: "PROVIDING FOR UTILIZATION AND TREATMENT GUIDELINES TO BE
ESTABLISHED BY RULE;"

2. Title, line 19.

Following: ";"

Strike: "AND"

Following: the second "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 11, line 23.

Following: "schedule."

Insert: "Until the department adopts a fee schedule applicable to
medical services provided by a hospital, insurers shall pay
at the rate payable on June 30, 2007, for those services
provided by the hospital. The rate must be adjusted by the
annual percentage increase in the state's average weekly
wage, as defined in 39-71-116, factoring in changes in the
hospital's medical service charges."

4. Page 11.

Following: line 23

Insert: "(3) (a) The department may establish by rule evidence-
based utilization and treatment guidelines for primary and
secondary medical services. There is a rebuttable
presumption that the utilization and treatment guidelines
established by the department are correct medical treatment
for the injured worker.

(b) An insurer is not responsible for treatment or services
that do not fall within the utilization and treatment guidelines
adopted by the department unless the provider obtains prior
authorization from the insurer.

(c) The department may establish by rule an independent
medical review process for treatment or services denied by an
insurer pursuant to this subsection (3) prior to mediation under
39-71-2401."

Renumber: subsequent subsections

5. Page 12.

Following: line 14

Insert: "(5) For a medical assistance facility or a critical access hospital licensed pursuant to Title 50, chapter 5, the rate for services is the usual and customary charge. Fees paid to a licensed medical assistance facility or critical access hospital are not subject to the limitation provided in subsection (6)."

Renumber: subsequent subsections

6. Page 12, line 24.

Strike: "(7)"

Insert: "(9)"

7. Page 12, line 30.

Strike: "(7)(a)"

Insert: "(9)(a)"

8. Page 14, lines 18 through 20.

Following: "exceed the" on line 18

Strike: "prevailing" on line 18 through "the" on line 20

Insert: "hourly mean wage by area for home health aides, as published by the department in the most recent edition of the Montana Informational Wage Rates by Occupation and adopted annually by the department prior to January 1. The"

Following: "day" on line 20

Insert: "at the rate in effect at the time that the services are rendered"

9. Page 16, line 15.

Following: " _ "

Insert: "Pursuant to 33-28-205, a captive reciprocal insurer may not be a member of an insurance guaranty association or guaranty fund."

10. Page 18, line 17.

Following: "(1)"

Strike: "A"

Insert: "Except as provided in subsection (7), a"

11. Page 19.

Following: "line 20"

Insert: "(7) A captive reciprocal insurer specified in 39-71-2201 is not subject to this section."

12. Page 19.

Following: line 25

Insert: "NEW SECTION. **Section 18.** {standard} **Effective date.**
[This act] is effective July 1, 2007."

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